

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

HENRY J. IOCOVETTI,	)	
	)	
Petitioner,	)	
	)	Case No. 1:11-cv-212-SJM-SPB
v.	)	
	)	
COMMONWEALTH, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

This petition for writ of habeas corpus was received by the Clerk of Court on August 17, 2011 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, orally entered onto the record during a motion hearing held on December 13, 2011, recommends that the Petitioner's motion for a temporary restraining order [27] be denied. The parties were allowed fourteen (14) days from the date of service in which to file objections. Petitioner's objections [35] were filed on December 30, 2011. In addition, a supplement to Plaintiff's objections [38] was filed on February 13, 2012. After de novo review of the petition and documents in the case, together with the Report and Recommendation and objections and supplemental filing in response thereto, the following order is entered:

AND NOW, this 3rd Day of May, 2012;

IT IS ORDERED that the Petitioner's motion for a temporary restraining order [27] shall be, and hereby is, DENIED.

The oral Report and Recommendation of Magistrate Judge Baxter entered onto the record on December 13, 2011 is adopted as the opinion of the Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN  
United States District Judge

Cm: All parties of record.

U.S. Magistrate Judge Susan Paradise Baxter